

103^D CONGRESS
2^D SESSION

H. R. 4707

To amend the Immigration and Nationality Act to make permanent the visa waiver program and to authorize, under certain conditions, the designation of certain member states of the European Union as visa waiver program countries.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1994

Mr. MACHTELEY introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to make permanent the visa waiver program and to authorize, under certain conditions, the designation of certain member states of the European Union as visa waiver program countries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PERMANENT VISA WAIVER PROGRAM.**

4 Section 217 of the Immigration and Nationality Act
5 (8 U.S.C. 1187) is amended—

6 (1) by amending the section heading to read as
7 follows:

1 “VISA WAIVER PROGRAM FOR CERTAIN VISITORS”;

2 (2) in the heading of subsection (a), (a)(2), and
 3 (c) by striking “PILOT” and “PILOT” each place ei-
 4 ther appears and inserting “VISA WAIVER” and
 5 “VISA WAIVER”, respectively;

6 (3) in subsection (a)(1) by striking “during the
 7 pilot program period (as defined in subsection (e)),”;

8 (4) in subsection (c)(3) by striking “(within the
 9 pilot program period) after the initial period”;

10 (5) in subsection (c) by striking paragraph (4);

11 (6) in subsection (e)(1)(A) by striking
 12 “(a)(1)(A)” and inserting “(a)(1)”;

13 (7) by striking “pilot” each place it appears
 14 and inserting “visa waiver”; and

15 (8) by striking subsection (f).

16 **SEC. 2. TREATMENT OF CERTAIN MEMBER STATES OF EU-**
 17 **ROPEAN UNION UNDER THE VISA WAIVER**
 18 **PROGRAM.**

19 Section 217(c) of the Immigration and Nationality
 20 Act (8 U.S.C. 1187(c)) is amended by adding at the end
 21 the following new paragraph:

22 “(4) DESIGNATION OF CERTAIN MEMBER
 23 STATES OF EUROPEAN UNION.—

24 “(A) IN GENERAL.—A country that is, and
 25 has been since January 1, 1994, a member

1 state of the European Union may be designated
2 as a visa waiver program country if it meets the
3 requirements of this paragraph and subpara-
4 graphs (C) and (D) of paragraph (2).

5 “(B) QUALIFICATIONS.—A member state
6 of the European Union may not be designated
7 as a visa waiver program country unless the fol-
8 lowing requirements are met:

9 “(i) LOW NONIMMIGRANT VISA RE-
10 FUSAL RATE FOR ELIGIBLE MEMBER
11 STATES FOR PREVIOUS 2-YEAR PERIOD.—

12 The average number of refusals of non-
13 immigrant visitor visas for all nationals of
14 member states of the European Union eli-
15 gible for designation under subparagraph
16 (A) during the two previous full fiscal
17 years was less than 2.0 percent of the total
18 number of nonimmigrant visitor visas for
19 all nationals of such member states of the
20 European Union which were granted or re-
21 fused during that year.

22 “(ii) LOW NONIMMIGRANT VISA RE-
23 FUSAL RATE FOR ELIGIBLE MEMBER
24 STATES FOR EACH OF 2 PREVIOUS
25 YEARS.—The average number of refusals

1 of nonimmigrant visitor visas for all na-
2 tionals of member states of the European
3 Union eligible for designation under sub-
4 paragraph (A) during either of such two
5 previous full fiscal years was less than 2.5
6 percent of the total number of non-
7 immigrant visitor visas for all nationals of
8 such member states of the European
9 Union which were granted or refused dur-
10 ing that year.

11 “(iii) LOW NONIMMIGRANT VISA RE-
12 FUSAL RATE FOR THAT MEMBER STATE
13 FOR EACH OF 2 PREVIOUS YEARS.—The
14 average number of refusals of non-
15 immigrant visitor visas for nationals of
16 that member state during either of such
17 two previous full fiscal years was less than
18 5 percent of the total number of non-
19 immigrant visitor visas for nationals of
20 that member state which were granted or
21 refused during that year.

22 “(C) DATA.—In applying subparagraph
23 (B), data on visas granted or refused to nation-
24 als of a member state of the European Union
25 which has previously been designated shall be

1 the data used for purposes of the first designa-
2 tion of that member state under this sub-
3 section.”.

